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Attorneys for Mr. Figueroa-Montes

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE M. JAMES LORENZ)

UNITED STATES OF AMERICA,

Plaintiff,

v.

**FRANKLIN ANTONIO FIGUEROA-MONTES,**

Defendant.

CASE NO.: 08CR1002-L

Date: May 19, 2008

Time: 2:00 p.m.

NOTICE OF MOTIONS AND MOTIONS TO:

- (1) COMPEL DISCOVERY;
- (2) PRESERVE EVIDENCE; AND
- (3) GRANT LEAVE TO FILE FURTHER MOTIONS

**TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, AND  
WILLIAM A. HALL, JR., ASSISTANT UNITED STATES ATTORNEY:**

PLEASE TAKE NOTICE that on May 19, 2008, at 2:00 p.m., or as soon thereafter as counsel may be heard, defendant, FRANKLIN ANTONIO FIGUEROA-MONTES, by and through his attorneys, Hanni M. Fakhoury and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

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**MOTIONS**

Defendant, Franklin Antonio Figueroa-Montes, by and through his attorneys, Hanni M. Fakhoury and Federal Defenders of San Diego, Inc., asks this Court pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law, and local rules for an order to: infinite

- (1) Compel Discovery;
- (2) Preserve Evidence; and
- (3) Grant Leave to File Further Motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, the files and records in the above-captioned matter, and any and all other materials that may come to this Court's attention prior to or during the hearing of these motions.

Respectfully submitted,

Dated: April 11, 2008

s/ Hanni M. Fakhoury  
**HANNI M. FAKHOURY**  
Federal Defenders of San Diego, Inc.  
Attorneys for Mr. Figueroa-Montes

**CERTIFICATE OF SERVICE**

Counsel for Defendant certifies that the foregoing pleading is true and accurate to the best of her information and belief, and that a copy of the foregoing document has been served this day upon:

**William A. Hall, Jr.**  
Assistant United States Attorney  
William.A.Hall@usdoj.gov

Respectfully submitted,

Dated: April 11, 2008

/s/ Hanni M. Fakhoury  
**HANNI M. FAKHOURY**  
Federal Defenders of San Diego, Inc.  
Attorneys for Defendant  
Hanni\_Fakhoury@fd.org